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6 LEWIS FAMILY ENTERPRISES, INC. and
STEVEN ROBERT LEWIS
7

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

9 FORD MOTOR CREDIT COMPANY,)
10 LLC, a Delaware Limited Liability)
Company,)

11 Plaintiff,)

12 vs.)

13 LEWIS FAMILY ENTERPRISES,)
14 INC., dba BOB LEWIS LINCOLN)
MERCURY, a California corporation,)
15 and STEVEN ROBERT LEWIS, an)
individual,)

16 Defendants.)
17)
18)

19 LEWIS FAMILY ENTERPRISES,)
INC., dba BOB LEWIS LINCOLN)
MERCURY, a California corporation,)
20 and STEVEN ROBERT LEWIS, an)
individual,)

21 Counterclaimants,)
22)

23 vs.)

24 FORD MOTOR CREDIT COMPANY,)
LLC, a Delaware Limited Liability)
Company; FORD MOTOR COMPANY,)
25 a Delaware corporation; CAPITOL)
EXPRESSWAY FORD, INC., a)
26 Delaware corporation; and DOES 1)
through 10, inclusive,)

27 Counterdefendants.)
28)

Case No.: C 07-03301 RS

**STIPULATED REQUEST FOR ORDER
CHANGING TIME FOR NON-EXPERT
DISCOVERY CUTOFF AND EXPERT
DISCOVERY (CIV. LOCAL RULE 6-2)**

Trial: June 15, 2009

**PURSUANT TO CIVIL LOCAL RULE 6-2, THE PARTIES HEREBY STIPULATE,
THROUGH COUNSEL OF RECORD:**

1. The present non-expert discovery cutoff is October 1, 2008. The parties agree to a 60-day continuance of the discovery cutoff until December 1, 2008. This extension is to allow the parties to complete additional discovery which is necessary, as well as afford the parties an opportunity to explore private mediation before incurring the expense and attorney's fees attendant to the balance of discovery which remains.

2. The parties agree that expert disclosure and discovery will occur as follows:

a. On or before January 5, 2009, Plaintiff shall disclose expert testimony and reports in accordance with Rule 26(a)(2), F.R.Civ.P.

b. On or before January 20, 2009, Defendants shall disclose expert testimony and reports in accordance with Rule 26(a)(2), F.R.Civ.P.

c. On or before March 16, 2009, all discovery of expert witnesses pursuant to Rule 26(a)(4), F.R.Civ.P., shall be completed.

3. The parties agree that other dates will remain in place, including the last day for mediation (November 3, 2008), hearing of pretrial motions (April 29, 2009), and the pretrial conference (June 3, 2009) and trial (June 15, 2009) dates.

4. This is the first request for alteration of any dates in the Court's Case Management Order of February 27, 2008.

Dated: September 16, 2008

RANKIN, LANDSNESS, LAHDE,
SERVERIAN & STOCK

By: /s/ Jon A. Heaberlin

JON A. HEABERLIN
Attorneys for Defendants,
Counterclaimants LEWIS FAMILY
ENTERPRISES, INC. and STEVEN
ROBERT LEWIS

1 DATED: /s/ September 16, 2008

SEVERSON & WERSON, P.C.

2
3 By: /s/ Donald H. Cram, III
4 DONALD H. CRAM, III, ESQ.
5 Attorneys for Plaintiff FORD MOTOR
6 CREDIT CO., LLC and Counter-Defendant
FORD MOTOR COMPANY, INC.

7 DATED: /s/ September 16, 2008

GORDON & REES, LLP

8
9 By: /s/ Brian P. Maschler
10 BRIAN P. MASCHLER, ESQ.
11 Attorneys for Counter-Defendant CAPITOL
EXPRESSWAY FORD

12 **ORDER**

13 THE PARTIES HAVING STIPULATED, all non-expert discovery shall now be
14 completed on or before December 1, 2008. Expert disclosure and discovery will occur as
15 follows:

16 a. On or before January 5, 2009, Plaintiff shall disclose expert testimony and
17 reports in accordance with Rule 26(a)(2), F.R.Civ.P.

18 b. On or before January 20, 2009, Defendants shall disclose expert testimony
19 and reports in accordance with Rule 26(a)(2), F.R.Civ.P.

20 c. On or before March 16, 2009, all discovery of expert witnesses pursuant to
21 Rule 26(a)(4), F.R.Civ.P., shall be completed.

22 All other dates and deadlines will remain as currently set.

23
24 **IT IS SO ORDERED.**

25 DATED: _____

26 _____
27 MAGISTRATE JUDGE OF THE U.S.
DISTRICT COURT